



## Legislation Details (With Text)

**File #:** RES PH 23- 266 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 9/13/2023

**Title:** Approving the application of Trey Wodele, Eureka Recycling, for a sound level variance in order to present amplified sound on September 17, 2023 at 1600 Phalen Dr - Phalen Park Picnic Pavilion.

**Sponsors:** Nelsie Yang

**Indexes:** Ward - 6

**Code sections:**

**Attachments:** 1. Friends and Family Picnic Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
9/14/2023	1	Mayor's Office	Signed	
9/13/2023	1	City Council	Adopted	Pass

Approving the application of Trey Wodele, Eureka Recycling, for a sound level variance in order to present amplified sound on September 17, 2023 at 1600 Phalen Dr - Phalen Park Picnic Pavilion.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, Trey Wodele, Eureka Recycling Director of Communications, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 85 dBA at no specified distance from the sound source at 1600 Phalen Dr - Phalen Park Picnic Pavilion, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours of 3:30 p.m. to 7:00 p.m., with a pre-event sound check from 2:30 p.m. on September 17, 2023 for the Friends and Family Picnic event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1600 Phalen Dr - Phalen Park Picnic Pavilion; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to Trey Wodele, Eureka Recycling, for the Friends and Family Picnic event at 1600 Phalen Dr - Phalen Park Picnic Pavilion, subject to the following conditions:

1) The Variance shall be for the hours of 3:30 p.m. to 7:00 p.m., with a pre-event sound check from 2:30 p.m. on Sunday, September 17, 2023.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 7:00 p.m. September 17, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 17, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Trey Wodele, Eureka Recycling Director of Communications, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 3:30 p.m. to 7:00 p.m. on September 17, 2023 at 1600 Phalen Dr - Phalen Park Picnic Pavilion. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments